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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 KENNETH STEVEN HONTZ,

9 Petitioner,

10 v.

11 STATE OF WASHINGTON,

12 Respondent.

CASE NO. C11-5232BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation ("R&R")
14 of the Honorable Karen L. Strombom, United States Magistrate Judge. Dkt. 22. The
15 Court having considered the R&R and the remaining record, and no objections having
16 been filed, does hereby find and order as follows:

- 17 (1) The R&R is **ADOPTED**; and
18 (2) The petition is **DIMISSED** for failure to prosecute and Petitioner is not
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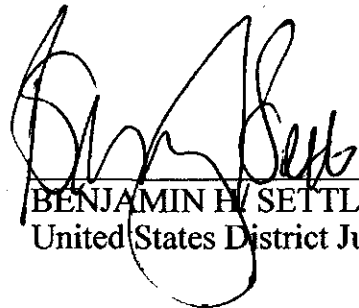


11-CV-05232-ORD

ORDER

1 entitled to a certificate of appealability for the reasons stated in the Report and
2 Recommendation.

3 Dated this 24 day of October, 2011.

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5 BENJAMIN H. SETTLE
6 United States District Judge
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